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## MEMORANDUM ENDORSED

**JAMES E. JOHNSON**  
*Corporation Counsel*

**THE CITY OF NEW YORK**  
**LAW DEPARTMENT**  
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NEW YORK, NY 10007

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June 16, 2020

VIA ECF

Hon. Gregory H. Woods  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007

Re: *M.B., et al. v. N.Y.C. Dep't of Educ.*, 20-cv-2201 (GHW) (DCF)

Dear Judge Woods,

I am an Assistant Corporation Counsel in the office of Corporation Counsel James E. Johnson, attorney for Defendant in the above-referenced action wherein Plaintiffs seek, among other relief, attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, et seq., as well as for this action.

I write to respectfully request a 60-day extension of Defendant's time to respond to the Complaint, from July 22, 2020 to September 22, 2020, and a corresponding adjournment of the conference scheduled for September 3, 2020 to November 3, 2020. Plaintiffs have consented to this request. This is Defendant's second request for an extension of time. The initial date for Defendant's response was April 22, 2020. This Court granted Defendant's first request for a 90-day extension of time to respond to the Complaint (ECF No. 9), given the COVID-19 pandemic and its impact on operations of the New York City Department of Education ("DOE").

Additionally, the City has experienced the sudden and mandated termination of the employment of five attorneys who handled all fees litigation under the Individuals with Disabilities Education Act, 20 U.S.C. §1400. This development arose as part of the fiscal impact

the COVID-19 pandemic is having on the City. As incoming counsel it has taken additional time to familiarize myself with the record and the matter. However, I am actively engaging with DOE to resolve the claims as quickly as possible.

The requested extension should, barring further extraordinary circumstances, provide the parties with additional time to attempt to resolve this matter entirely. Therefore, Defendant respectfully requests that its time to respond to the Complaint be extended to September 22, 2020.

Thank you for considering this request.

Respectfully Submitted,

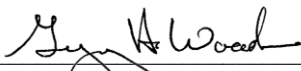
/s/

Bianca C. Isaias  
*Attorney for Defendant*

cc: Adam Dayan (via ECF) *Attorney for Plaintiffs*

Application granted. The deadline for Defendant to respond to the complaint is extended from July 22, 2020 to September 22, 2020. The initial pretrial conference scheduled for September 3, 2020 is adjourned to October 27, 2020 at 4:00 p.m. The joint status letter described in the March 13, 2020 order setting an initial pretrial conference, Dkt. No. 5, is due no later than October 20, 2020.  
SO ORDERED.

Dated: July 19, 2020

  
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GREGORY H. WOODS  
United States District Judge